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U.S. DISTRICT COURT
EASTERN DISTRICT-WI
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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

2018 AUG 28 P 2:22

STEPHEN C. DRIES
CLERK

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 18-CR-53

[18 U.S.C. §§ 2, 371, 1028(a)(7), 1029(a)(2),
(3), and (4), and 1028A(a)(1)]

RICHARD RIVERA GARCIA,
JOSUE MICHEL GARCIA MORET,
WALTER ENRIQUE ESTRADA, a/k/a
"DOCTO,"
JUAN ZABALA-BUENO, and
INLIAN SAYONARA GOMEZ-RIERA,
a/k/a "FEFI,"

SUPERSEDING INDICTMENT

Defendants.

COUNT ONE

CONSPIRACY TO COMMIT ACCESS DEVICE FRAUD

THE GRAND JURY CHARGES:

1. Between on or about June 1, 2015, and July 5, 2017, in the State and
Eastern District of Wisconsin and elsewhere,

**RICHARD RIVERA GARCIA,
JOSUE MICHEL GARCIA MORET,
WALTER ENRIQUE ESTRADA, a/k/a "DOCTO,"
JUAN ZABALA-BUENO, and
INLIAN SAYONARA GOMEZ-RIERA, a/k/a "FEFI,"**

knowingly and with intent to defraud, conspired to commit the following offenses:

a. Traffic in and use one or more unauthorized access devices to obtain things of value during any one-year period, the aggregate value of which is equal to or greater than \$1,000, and by doing so affected interstate commerce, in violation of Title 18, United States Code, Section 1029(a)(2); and

b. Possess fifteen or more unauthorized access devices, and by doing so affected interstate commerce, in violation of Title 18, United States Code, Section 1029(a)(3).

Manner and Means

2. The defendants used the following manner and means, among others, to accomplish the goals of their conspiracy:

a. The defendants traveled throughout the United States, including to Wisconsin, from their residences in Arizona and Florida, and surreptitiously installed "skimmer devices" on gas pumps. These devices captured credit card information from gas station customers.

b. The defendants later retrieved the skimmers and credit card information and transferred the information to counterfeit credit cards. The defendants used the counterfeit credit cards to make purchases, such as gift cards at retail stores, including Wal-Mart.

c. The defendants used fraudulent drivers' licenses and other identification documents to conceal their identity and use the counterfeit credit cards.

d. While traveling throughout the United States, the defendants sent the gift cards purchased with counterfeit credit cards to other co-conspirators in Florida and elsewhere. The defendants then redeemed the gift cards for cash that was distributed to the defendants and other conspirators.

Acts in Furtherance of the Conspiracy

3. The defendants, and others acting on their behalf and at their direction, performed the following acts to accomplish the goals of the conspiracy:

a. On or about April 14 and 15, 2016, defendants Zabala-Beuno and Estrada traveled to Greendale, Wisconsin, and used counterfeit credit cards to purchase merchandise and gift cards.

b. On or about September 1, 2016, defendants Rivera Garcia and Moret traveled to Brookfield, Wisconsin, and surreptitiously installed credit card skimming devices on gas pumps located at at least two gas stations.

c. On or about September 14, 2016, defendants Rivera Garcia and Moret returned to Brookfield, Wisconsin, and attempted to retrieve the skimming devices they had previously installed on gas pumps.

d. On or about September 21, 2016, defendants Estrada and Gomez-Riera travelled to Waukesha, Wisconsin, to obtain defendants Moret and Rivera Garcia's release from custody.

All in violation of Title 18, United States Code, Section 371.

COUNT TWO

ACCESS DEVICE FRAUD

THE GRAND JURY FURTHER CHARGES:

Between on or about March 29, 2016, and September 14, 2016, in the State and Eastern District of Wisconsin and elsewhere,

**RICHARD RIVERA GARCIA,
JOSUE MICHEL GARCIA MORET,
WALTER ENRIQUE ESTRADA, a/k/a "DOCTO,"
JUAN ZABALA-BUENO, and
INLIAN S. GOMEZ-RIERA, a/k/a "FEFI,"**

knowingly and with intent to defraud, used and trafficked in, and attempted to use and traffic in, one or more unauthorized access devices, in that the holder of these access devices had not authorized their use by the defendants, and by such unauthorized use, obtained more than \$1,000 in value affecting interstate commerce.

In violation of Title 18, United States Code, Sections 1029(a)(2), 1029(b)(1), and 2.

COUNT THREE

POSSESSION OF 15 OR MORE UNAUTHORIZED ACCESS DEVICES

THE GRAND JURY FURTHER CHARGES:

On or about April 15, 2016, in the State and Eastern District of Wisconsin,

**RICHARD RIVERA GARCIA,
WALTER ENRIQUE ESTRADA, a/k/a "DOCTO,"
JUAN ZABALA BUENO, and
INLIAN S. GOMEZ-RIERA, a/k/a "FEFI,"**

with intent to defraud, did knowingly possess, and aid and abet the possession of, 15 or more counterfeit or unauthorized access devices, as defined in Title 18, United States Code, Sections 1029(e)(2) and (e)(3), said conduct affecting interstate and foreign commerce.

In violation of Title 18, United States Code, Sections 1029(a)(3) and 2.

COUNT FOUR

AGGRAVATED IDENTITY THEFT

THE GRAND JURY FURTHER CHARGES:

On or about April 15, 2016, in the State and Eastern District of Wisconsin and elsewhere,

**RICHARD RIVERA GARCIA,
WALTER ENRIQUE ESTRADA, a/k/a "DOCTO,"
JUAN ZABALA BUENO, and
INLIAN S. GOMEZ-RIERA, a/k/a "FEFI,"**

during and in relation to felony violations of Title 18, United States Code, Section 1029(a)(2), and (a)(3), as charged in Counts Two and Three of this indictment, did knowingly transfer, possess, and use, without lawful authority, and aid and abet such transfer, possession, and use, a means of identification of another person, specifically an access device belonging to RLH, knowing that said means of identification belonged to another person.

In violation of Title 18, United States Code, Sections 1028A(a)(1) and 2.

COUNT FIVE

UNLAWFUL USE OF A MEANS OF IDENTIFICATION

THE GRAND JURY FURTHER CHARGES:

Between on or about April 14 and 15, 2016, in the State and Eastern District of Wisconsin,

WALTER ENRIQUE ESTRADA, a/k/a "DOCTO,"

did knowingly use without lawful authority, and aid and abet such use, a means of identification of another person, that is, a Colorado driver's license in the name of "Noel Ortiz", with intent to commit access device fraud, in violation of Title 18, United States Code, Section 1029(a)(2), said conduct affecting interstate and foreign commerce.

In violation of Title 18, United States Code, Sections 1028(a)(7) and 2.

COUNT SIX

**ATTEMPTED POSSESSION OF 15 OR MORE UNAUTHORIZED ACCESS
DEVICES**

THE GRAND JURY FURTHER CHARGES:

Between on or about September 1, 2016, and September 14, 2016, in the State
and Eastern District of Wisconsin,

**RICHARD RIVERA GARCIA
JOSUE MICHEL GARCIA MORET, and
INLIAN S. GOMEZ-RIERA, a/k/a "FEFI,"**

with intent to defraud, did knowingly attempt to possess, and aid and abet the
possession of, 15 or more counterfeit or unauthorized access devices, as defined in
Title 18, United States Code, Sections 1029(e)(2) and (e)(3), said conduct affecting
interstate and foreign commerce.

In violation of Title 18, United States Code, Sections 1029(a)(3) and 2.

COUNT SEVEN

POSSESSION OF DEVICE-MAKING EQUIPMENT

THE GRAND JURY FURTHER CHARGES:

Between on or about September 1, 2016, and September 14, 2016, in the State and Eastern District of Wisconsin,

**RICHARD RIVERA GARCIA
JOSUE MICHEL GARCIA MORET, and
INLIAN S. GOMEZ-RIERA, a/k/a "FEFL,"**

with intent to defraud, did knowingly produce, traffic in, have control and custody of, and possess device making equipment, as defined in Title 18, United States Code, Section 1029(e)(6), and did aid and abet the same, namely, credit card skimmer devices, such conduct affecting interstate and foreign commerce.

In violation of Title 18, United States Code, Sections 1029(a)(4) and 2.

COUNT EIGHT

AGGRAVATED IDENTITY THEFT

THE GRAND JURY FURTHER CHARGES:

Between on or about September 1, 2016, and September 14, 2016, in the State and Eastern District of Wisconsin and elsewhere,

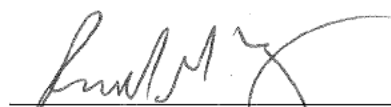
**RICHARD RIVERA GARCIA
JOSUE MICHEL GARCIA MORET, and
INLIAN S. GOMEZ-RIERA, a/k/a "FEFL,"**

during and in relation to felony violations of Title 18, United States Code, Sections 1029(a)(2), (a)(3) and (a)(4), as charged in Counts Two, Six, and Seven, did knowingly transfer, possess, and use, without lawful authority, and aid and abet the same, a means of identification of one or more other individuals, including GMZ, knowing that said means of identification belonged to another person.

In violation of Title 18, United States Code, Sections 1028A(a)(1) and 2.

A TRUE BILL

FOREPERSON


MATTHEW D. KRUEGER
United States Attorney

Date: 9/28/18